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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/890,900	08/06/2001	Nicholas Gatherar	FMCE-P067	9640

7590 03/30/2005  
Henry C Query JR  
504 S Pierce Avenue  
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EXAMINER

BEACH, THOMAS A

ART UNIT PAPER NUMBER

3671

DATE MAILED: 03/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/890,900

Applicant(s)

GATHERAR ET AL.

Examiner

Thomas A Beach

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 7, 8, 13-18 and 22 is/are rejected.
- 7) ☒ Claim(s) 5, 6, 9-12, 19, 20 and 23-25 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 01/18/02.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 2, 5 and 6 are objected to because of the following informalities: on line 6 of claim 2 and on line 5 of claim 5, "a subsea matable connector" has already been claimed in claim 1; therefore, lack antecedent basis respectively. On line 1 of claim 6, "the connectors" lack antecedent basis.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4, 7-8, 13-18 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Brun et al 3,834,460. Brun shows a subsea completion with a wellhead installed over a well and from which extends a production fluid conduit; a barrier package (figure 4-5) for controlling fluid flows to or from the well, the barrier package being removably located externally of the wellhead rigidly connected to the framework, the corners, that is also connected to the barrier package (figure 2; claims 20-21) and containing at least one production flow control valve (17) capable of containing the well pressure in use; wherein a continuation of the production fluid conduit (21) extending

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away from the wellhead is releasably coupled to the barrier package by a subsea matable connector (3) whereby the barrier package and components supported within the wellhead can be installed and retrieved independently of each other.

As concerns claim 2, Brun shows (fig. 6) an annulus conduit 61 in communication with the annulus 42 as part of the barrier package (fig. 4-5).

As concerns claims 3-4, Brun shows a tubing hanger (fig. 1) having an annulus flow passage connected to the annulus conduit and a flow valve 54 (fig. 6) positioned in the annulus.

As concerns claims 7-8, Brun shows a tubing hanger (fig. 1) containing a flow control valve 68 positioned in a production fluid flow passage connected to a tubing string and a flow control valve positioned in the production fluid conduit (claim 8; fig. 6).

As concerns claims 13-16, Brun shows the barrier package is supported on a well template (1) that is rigidly connected to the template (fig. 2, claim 14) with the subsea matable connector is integrated into the template (fig. 2, claim 15) and the production fluid conduit is structurally integrated into the template (fig. 2, claim 16).

As concerns claims 17-18, Brun shows the template supports more than one barrier package (fig. 2) the template supports a separation module (22).

As concerns claim 22, Brun shows the structural members (13a) arranged in a pattern (fig. 2).

***Allowable Subject Matter***

4. Claims 5, 6, 9-12, 19 and 23-25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A Beach whose telephone number is 703.305.4848. The examiner can normally be reached on Monday-Thursday, 8:00am-6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Will can be reached on 703.308.3870. The fax phone numbers for the organization where this application or proceeding is assigned are 703.872.9306 or 703.872.9306 for regular communications and 703.872.9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703.306.4198.

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Thomas A. Beach

March 21, 2005

**THOMAS A. BEACH**  
Patent Examiner  
Group 3600